

Minutes of the Board of Occupational Therapy Conference Call – 1-21-10

CALL TO ORDER

Mary Walsh-Sterup called the meeting of the Board of Occupational Therapy Practice to order at 8:04 a.m. Thursday, January 21, 2010, in the Learning Center, 3rd floor, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice of Meeting Agenda at least 10 days prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services at least 24hrs prior to the meeting.

ROLL CALL

The following Board Members and Staff called into the meeting:

Stacy Yagow, Vice-Chairman
Linda Storz, Secretary
Julie Agena, Assistant Attorney General

The following Board Members and Staff were present in the Learning Center:

Mary Walsh-Sterup, Chairman
R. McLaran Sawyer, PHD, Public Member
Diane Hansmeyer, Administrator
Bill Wisell, Health Licensing Coordinator
Suzanna Glover-Ettrich, Department Legal Counsel (*arrived at 8:30 am*)

CALL TO ORDER

Ms. Walsh-Sterup announced that this is a public meeting and the Open Meetings Law is posted.

ADOPTION OF THE REVISED AGENDA

Mr. Sawyer moved, seconded by Ms. Yagow to approve the revised agenda. Voting Aye: Walsh-Sterup, Storz, Sawyer and Yagow. Voting Nay: None. Motion carried.

APPROVAL OF MINUTES

Ms. Yagow moved, seconded by Ms. Storz to approve the minutes from the meetings held on: August 18, 2009, September 23, 2009, November 12, 2009 and December 8, 2009. Voting Aye: Sawyer, Walsh-Sterup, Yagow and Storz. Voting Nay: None. Motion carried.

CLOSED SESSION

Mr. Sawyer moved, seconded by Ms. Yagow to go into closed session at 8:06 am to hear discussions regarding confidential information and to protect the reputation of the individual. Voting Aye: Sawyer, Storz, Walsh-Sterup and Yagow. Voting Nay: None. Motion carried.

OPEN SESSION

Mr. Sawyer made a motion, seconded by Ms. Yagow to come out of closed session at 8:14 am. Voting Aye: Walsh-Sterup, Storz, Yagow and Sawyer. Voting Nay: None. Motion carried.

Ms. Agena left the meeting at approximately 8:15 am.

APPLICATION

Ms. Yagow motioned, seconded by Mr. Sawyer to approve Nicole Buss's application for licensure. Voting Aye: Walsh-Sterup, Yagow, Storz and Sawyer. Voting Nay: None. Motion carried.

REAFFIRMATION OF MAIL BALLOT

Ms. Yagow moved, seconded by Mr. Sawyer to reaffirm the mail ballot of the application for reinstatement of Jerrod Handy as an Occupational Therapist. Voting Aye: Storz, Walsh-Sterup, Yagow and Sawyer. Voting Nay: None. Motion carried.

SCOPE OF PRACTICE

Ms. Storz presented a question concerning whether a Certified Occupational Therapy Assistant could supervise students. Mr. Sawyer moved, seconded by Ms. Yagow to investigate this question with the National Association and support the National recommendation. Voting Aye: Storz, Sawyer, Walsh-Sterup and Yagow. Voting Nay: None. Motion carried.

Ms. Glover-Ettrich entered the meeting at approximately 8:30 am.

Ms. Hansmeyer presented from the Commission on Continuing Competence and Professional Development a draft on Guidelines for Re-Entry Into the Field of Occupational Therapy. After discussion, the Board decided to table this discussion until the final version is completed.

Ms. Storz presented the update to the oxygen question originally presented to the Board at the August 18, 2009 meeting. Ms. Storz had requested the opinion of the American Occupational Therapy Association. After discussion, Mr. Sawyer moved, seconded by Ms. Yagow that the task such as insertion and removal of the cannulas and adjustment of the rate of flow as per physician direction and facility guidelines is permitted within the scope of practice of occupational therapy by the occupational therapist and for the certified occupational therapy assistant who has demonstrated competency to the occupational therapist. Voting Aye: Walsh-Sterup, Storz, Sawyer and Yagow. Voting Nay: None. Motion carried.

Ms. Walsh-Sterup wanted to address that an occupational therapist or certified occupational therapy assistant is not permitted to delegate as a routine task the task of insertion and removal of the cannulas and adjustment of the rate of flow to an occupational therapy aide unless the aide has become a certified medication aide. However, if the facility wants to utilize occupational therapy aides to do this as a routine task, then the aide would have to become a certified medication aide.

Linda Storz wanted to know if there were guidelines for how many times a therapist could take the Occupational Therapy Board exam. Ms. Hansmeyer suggested that the Board get information from the National Board for Certification in Occupational Therapy (NBCOT) which administers the exam to see if they have guidelines for how many times a therapist could take the exam.

MEETINGS SCHEDULE FOR 2010

The Board set the next meeting on July 27, 2010 at 8:30.

REVIEW OF BOARD/STAFF DUTIES

Ms. Hansmeyer introduced for review the duties for the Board members and Staff. Mr. Sawyer moved, seconded by Ms. Yagow to approve the duties as presented in Attachment A. Voting Aye: Walsh-Sterup, Sawyer, Yagow and Storz. Voting Nay: None. Motion carried.

ELECTION AND SIGNATURES OF BOARD OFFICERS

Mr. Sawyer moved, seconded by Ms. Storz, to re-nominate and elect the slate of officers by acclamation. Voting Aye: Storz, Walsh-Sterup, Yagow and Sawyer. Voting Nay: None. Motion carried.

INVESTIGATION CONSULTANT

Ms. Yagow moved, seconded by Mr. Sawyer to name Ms. Storz to serve as the Investigation Consultant. Voting Aye: Yagow, Walsh-Sterup, Storz and Sawyer. Voting Nay: None. Motion carried.

PHYSICAL THERAPY LETTER FOR NEBRASKA DEPARTMENT OF EDUCATION

Ms. Hansmeyer presented the Board with a letter drafted by the then Chair of the Board of Physical Therapy addressing an issue from the August 18, 2009 meeting concerning the use of a physical therapist and an occupational therapist in a coaching model in the education setting. Mr. Sawyer moved, seconded by Ms. Yagow to draft a similar letter to the Department of Education expressing our concerns in this matter. Voting Aye: Walsh-Sterup, Storz, Sawyer and Yagow. Voting Nay: None. Motion carried.

REINSTATEMENT/INITIAL ADMINISTRATIVE PENALTY POLICY REVIEW

Ms. Hansmeyer brought up the policy that the Department will follow that addresses the Administrative Penalty Assessment on Reinstatement Applications received after the renewal period is over. Mr. Sawyer moved, seconded by Ms. Storz to adopt the policy for the Department to follow when reviewing reinstatement applications. This policy would be if the applicant has attested to practicing as an Occupational Therapist or Certified Occupational Therapy Assistant on an expired license for less than 30 days since the expiration of the license, the Department would issue the license and an administrative penalty for the number of days attested to after expiration of the license . If the applicant has attested to practicing over 30 days since expiration of the license, the Department will bring the application to the Board to consider discipline of the applicant. Voting Aye: Yagow, Walsh-Sterup, Storz and Sawyer. Voting Nay: None. Motion carried.

MOTION TO ADJOURN

Meeting was adjourned at 9:32 am.

Respectfully submitted,

Linda Storz, Secretary

Written by: Bill Wisell, Health Licensing Coordinator